

Intellectual Property and Propriety in Scholarly Communication:

How Open Approaches to Publication in the Humanities Increase the Reach and Visibility of Research

University of Kansas Libraries/Hall Center for the Humanities
College of Liberal Arts and Sciences
Lawrence, KS
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Information Environmentalism



Outline

1. Historical relationship between publishing, copyright, and free speech
2. Traditional scholarly publishing
3. Open Access scholarly publishing
4. Defining “Open” – Creative Commons
5. Monographs
6. Electronic theses and dissertations
7. Open Educational Resources (OER)

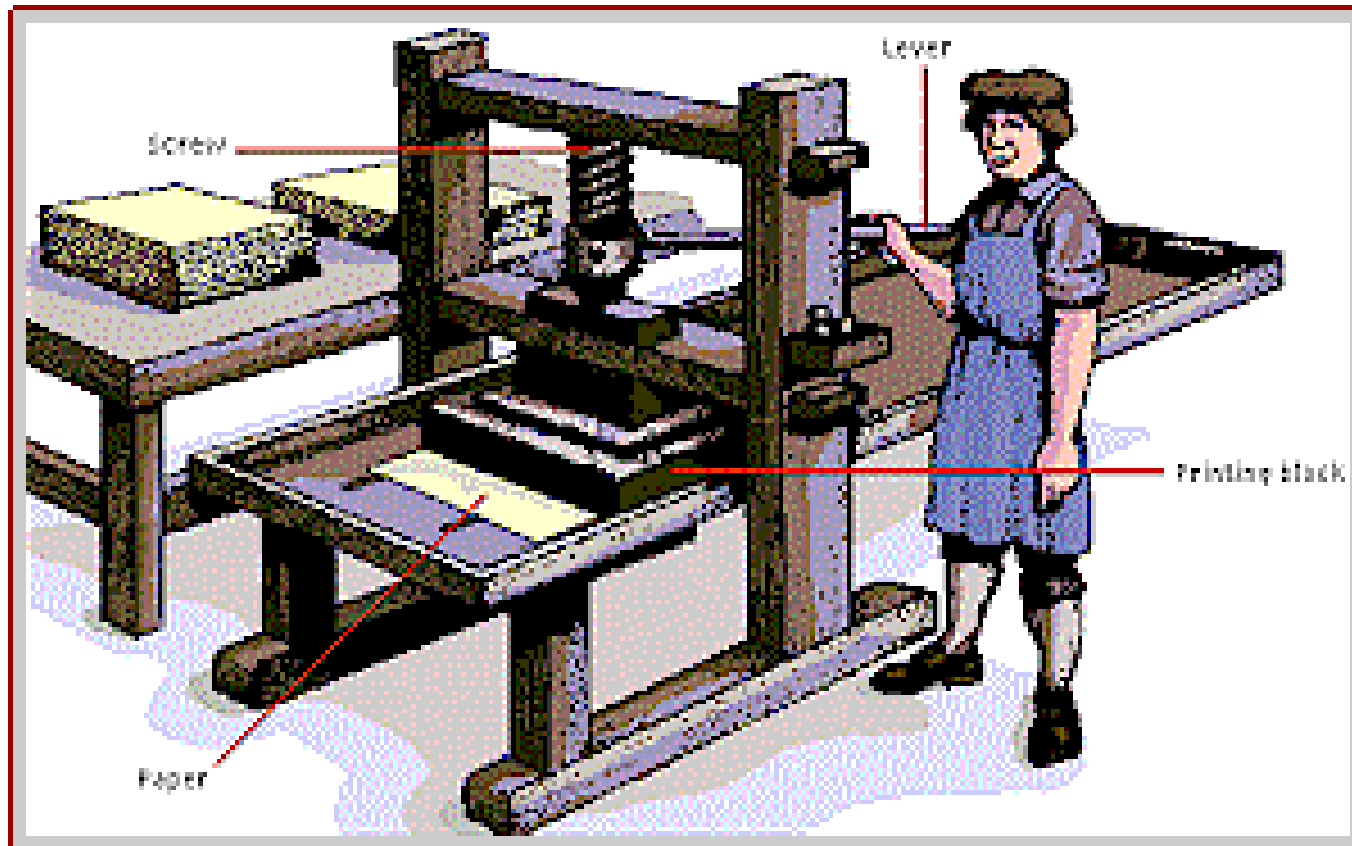
1.

Copyright: 500 Years in 5 Minutes

- Creation and diffusion of knowledge and culture prior to the Renaissance
 - Oral
 - Scribal publication
- An “Inter-Library Loan” often would be for the purpose of making a copy!

Copyright: 500 Years in 5 Minutes

Enter the Printing Press



Copyright: 500 Years in 5 Minutes

How to recoup the cost of the first copy?

Publishers petition for the exclusive right to print and to vend.

In England, the “copy right” was held by members of Company of Stationers.

Publishers controlled publishing while agreeing to support the Crown’s censorship rules.

Copyright: 500 Years in 5 Minutes

1695 - Anti-monopoly sentiment in England brings an end to the era of publishers' copyright.

Anno O⁸avo

Annæ Reginae.

An Act for the Encouragement of Learning, by Vesting the Copies of Printed Books in the Authors or Purchasers of such Copies, during the Times therein mentioned.



Whereas Printers, Booksellers, and other Persons have of late frequently taken the Liberty of Printing, Reprinting, and Publishing, or causing to be Printed, Reprinted, and Published Books, and other Writings, without the Consent of the Authors or Proprietors of such Books and Writings, to their very great Detriment, and too often to the Ruin of them and their Families: For Preventing therefore such Practices for the future, and for the

Encouragement of Learned Men to Compose and Write useful Books: May it please Your Majesty, that it may be Enacted, and be it Enacted by the Queens most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament Assembled, and by the Authority of the same, That from and after the Tenth Day of April, One thousand seven hundred and ten, the Author of any Book or Books already Printed, who hath not Transferred to any other the Copy or Copies of such Book or Books, Share or Shares thereof, or the Bookseller or Book-sellers, Printer or Printers, or other Person or Persons, who hath or have Purchased or Acquired the Copy or Copies of any Book or Books, in order to Print or Reprint the same, shall have the sole Right and Liberty of Printing such Book and Books for the Term of One and twenty Years, to Commence from the said Tenth Day of April, and no longer: and that the Author of any Book or Books already Composed and not Printed and Published, or that shall hereafter be Composed, and his Assignee, or Assigns, shall have the sole Liberty of Printing and Reprinting such Book and Books for the Term of Four-

Copyright: 500 Years in 5 Minutes

Statute of Anne – First Copyright Law -- 1710

“An Act for the Encouragement of Learning by Vesting the Copies in Printed Books in the Authors or Purchasers of Such Copies, during the Times therein mentioned.”

Grants right to print and vend to authors.

Authors still have to convey right to publishers to communicate in print.



Article I, Section 8, Clause 8

“The Congress shall have power . . . To Promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries . . .”

“The immediate effect of our copyright law is to secure a fair return for an ‘author's' creative labor. But the ultimate aim is, by this incentive, to stimulate artistic creativity for the general public good.”

Twentieth Century Music Corp. v. Aiken, 422 U.S. 151, 156 (1975).



<http://artfulparent.typepad.com/.a/6a00e55246b63f8834014e5faa7012970c-800wi>

[http://4.bp.blogspot.com/_52HU8ykkFAE/TNfNbgc27QI/AAAAAAAAAHM/8ZiILKSeTnw/s320/Copyright_\(Simple_English\)_Wikibook_header.png](http://4.bp.blogspot.com/_52HU8ykkFAE/TNfNbgc27QI/AAAAAAAAAHM/8ZiILKSeTnw/s320/Copyright_(Simple_English)_Wikibook_header.png)

Copyright Act of 1790

- Copyright starts as an “opt-in” system
 - Registration required
 - Time-consuming and moderately expensive
 - Many publications are not registered
 - Therefore free to copy

The First Amendment - 1791

“Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.”



https://www.aclunc.org/issues/freedom_of_press_and_speech/asset_upload_file697_11975.jpg

The First Amendment protects both the interest in speaking and the interest in receiving information.



The Latent Conflict

- ❑ Authors have an expressive interest in building upon prior knowledge, prior culture.
- ❑ Copyright gives the author or publisher of the original work the power to silence later authors and publishers.

The trial court ruled that a sequel to *Catcher in the Rye* infringed J.D. Salinger's copyright and banned its publication in the U.S.

The appeals court agreed that the book infringes, but sent the case back to the trial court to consider alternative remedies.

Salinger v. Colting, 607 F.3d 68, 83 (2d Cir. 2010).



The Expansion of Copyright

The Expansion of Copyright

- From 1790 to the present, copyright grows in
 - Subject matter (**the nouns** - what can be copyrighted)
 - Scope (**the verbs** - what rights come with a copyright)
 - Duration (when the rights expire).

The Expansion of Copyright

□ Copyrightable Subject Matter

- A “map, chart, or book” (1790)
- Any “original work of authorship” (1976)

The Expansion of Copyright

Duration

- From two 14-year terms to
- Life of the author plus 70 years
 - Published before 1923 = public domain
 - Published after 1923, could be under copyright
 - Most is not

The Expansion of Copyright

- ❑ Scope
- ❑ Originally to print, publish or sell copies.
- ❑ Now, copyright law gives Author the power to control:
 - Making of copies
 - Distributing copies
 - Public performances
 - Public displays
 - Adaptations of copyrighted work



The Expansion of Copyright

Scope

Author's rights are subject to limitations and exceptions, e.g.

- Fair use
- First sale

The Expansion of Copyright

- ❑ Throughout most of U.S. history, copyright remains an “opt-in” system.
- ❑ Many publications produced without notice and placed immediately in the public domain.

The Expansion of Copyright

□ The Big Change

■ Between 1976 and 1989,

□ Automatic Copyright

□ Hard to give back to the public domain

- Registration required only when filing lawsuit
- ©copyright notice is optional

The Expansion of Copyright

- Now, copyright is a “one-size-fits-all” regime.
 - Copyright is automatic
 - Copyright is assumed to apply equally to new technologies and new uses of technology

The Expansion of Copyright

- CLOSED: From author/publisher's view, copyright is property = right to exclude
 - Requires owner's permission to use work

The Expansion of Copyright

- CLOSED: From user/innovator's perspective, copyright sets the terms of use
 - Free to use = limitations and exceptions, e.g. fair use
 - or requires owner's permission to use work?

Fair Use

■ Purpose and character of use.

- “Transformative” use?: Either transform work or context
- Commercial/Non-commercial use

■ Nature of copyrighted work.

- How much original expression involved.

■ Amount and substantiality of portion used.

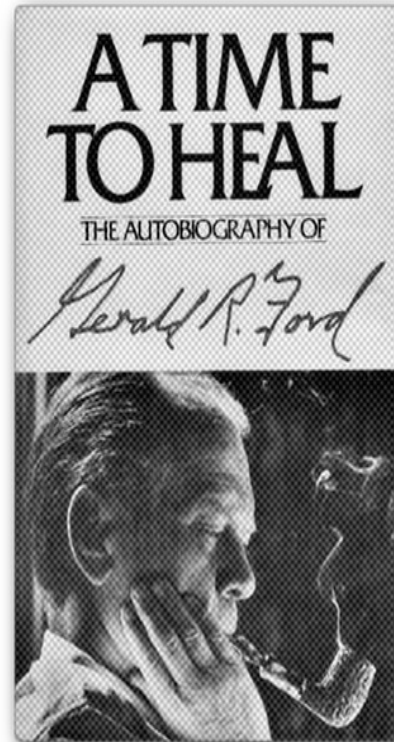
- Quantitative/Qualitative assessment, e.g. the “heart” of the work?

■ Effect on the potential market for or value of copyrighted work.

- Look to sales of copies and licensing opportunities, etc.
- Have to consider aggregate effects if others make the same use as defendant

The Conflict Goes to Court

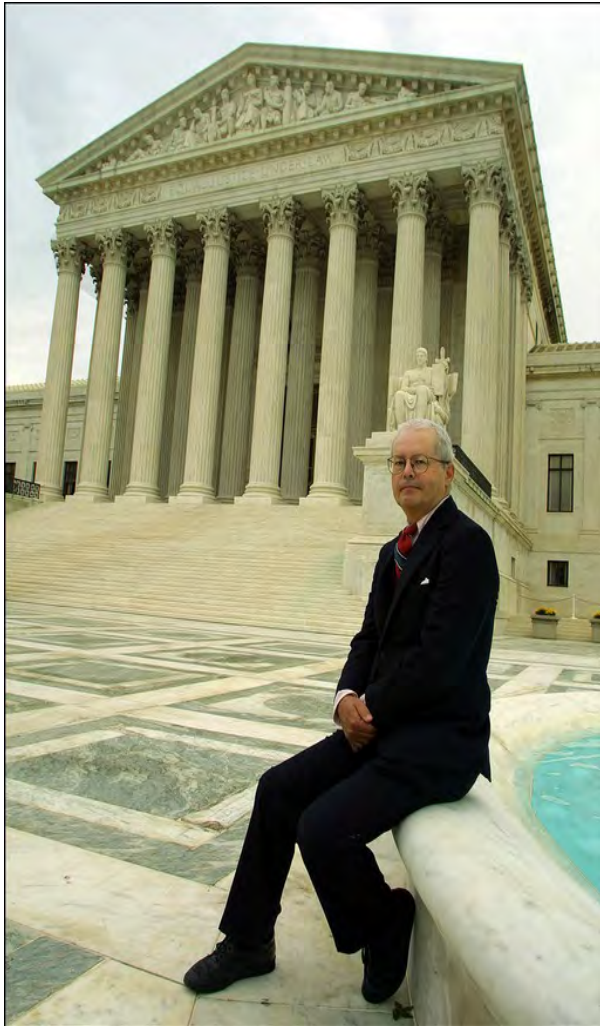
Harper & Row v. Nation Enterprises



“In our haste to disseminate news, it should not be forgotten that the Framers intended copyright itself to be the engine of free expression. By establishing a marketable right to the use of one's expression, copyright supplies the economic incentive to create and disseminate ideas.”

Harper & Row Publishers, Inc. v. Nation Enterprises, 471 U.S. 539, 558 (1985).

Eldred v. Ashcroft



<http://www.mccullagh.org/db9/d30-28/eric-eldred.jpg>



http://upload.wikimedia.org/wikipedia/commons/c/c5/IMG_2259_-_Washington_DC_-_US_Capitol.JPG

“The First Amendment securely protects the freedom to make—or decline to make—one's own speech; it bears less heavily when speakers assert the right to make other people's speeches. To the extent such assertions raise First Amendment concerns, copyright's built-in free speech safeguards are generally adequate to address them.”

Eldred v. Ashcroft, 537 U.S. 186, 221 (2003).

Golan v. Holder



<http://www.yakimamagazine.com/wp-content/uploads/2010/09/SMSO-1.jpg>



http://upload.wikimedia.org/wikipedia/commons/c/c5/IMG_2259_-_Washington_DC_-_US_Capitol.JPG

“Given the ‘speech-protective purposes and safeguards’ embraced by copyright law, we concluded in *Eldred* that there was no call for the heightened review petitioners sought in that case. We reach the same conclusion here. Section 514 leaves undisturbed the ‘idea/expression’ distinction and the ‘fair use’ defense.”

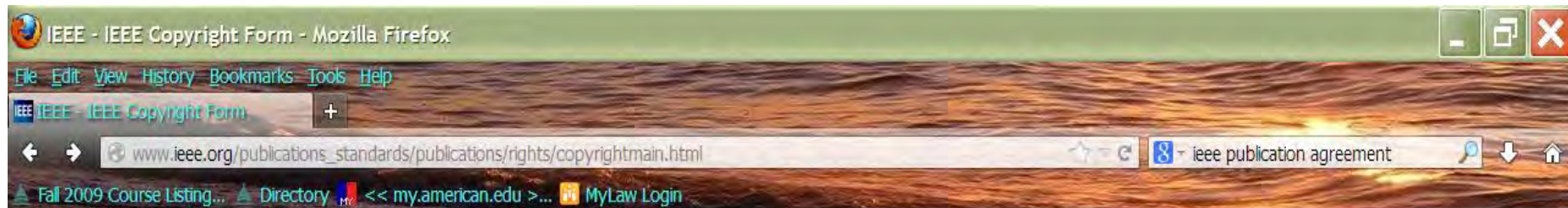
Golan v. Holder, 132 S. Ct. 873, 890-91 (2012).

2.

Copyright Basics

Copyright is transferable

- To transfer some or all of the exclusive rights, author(s) must do so in writing and sign it.



♦ Policy

IEEE policy requires that prior to publication all authors or their employers must transfer to the IEEE in writing any copyright they hold for their individual papers. Transferring copyright is a necessary requirement for publication, except for material in the public domain or which is reprinted with permission from a previously published, copyrighted publication.

Upon transferring copyright to IEEE, authors and/or their companies have the right to post their IEEE-copyrighted material on their own servers without permission, provided that the server displays a prominent notice alerting readers to their obligations with respect to copyrighted material and that the posted work includes an IEEE copyright notice.

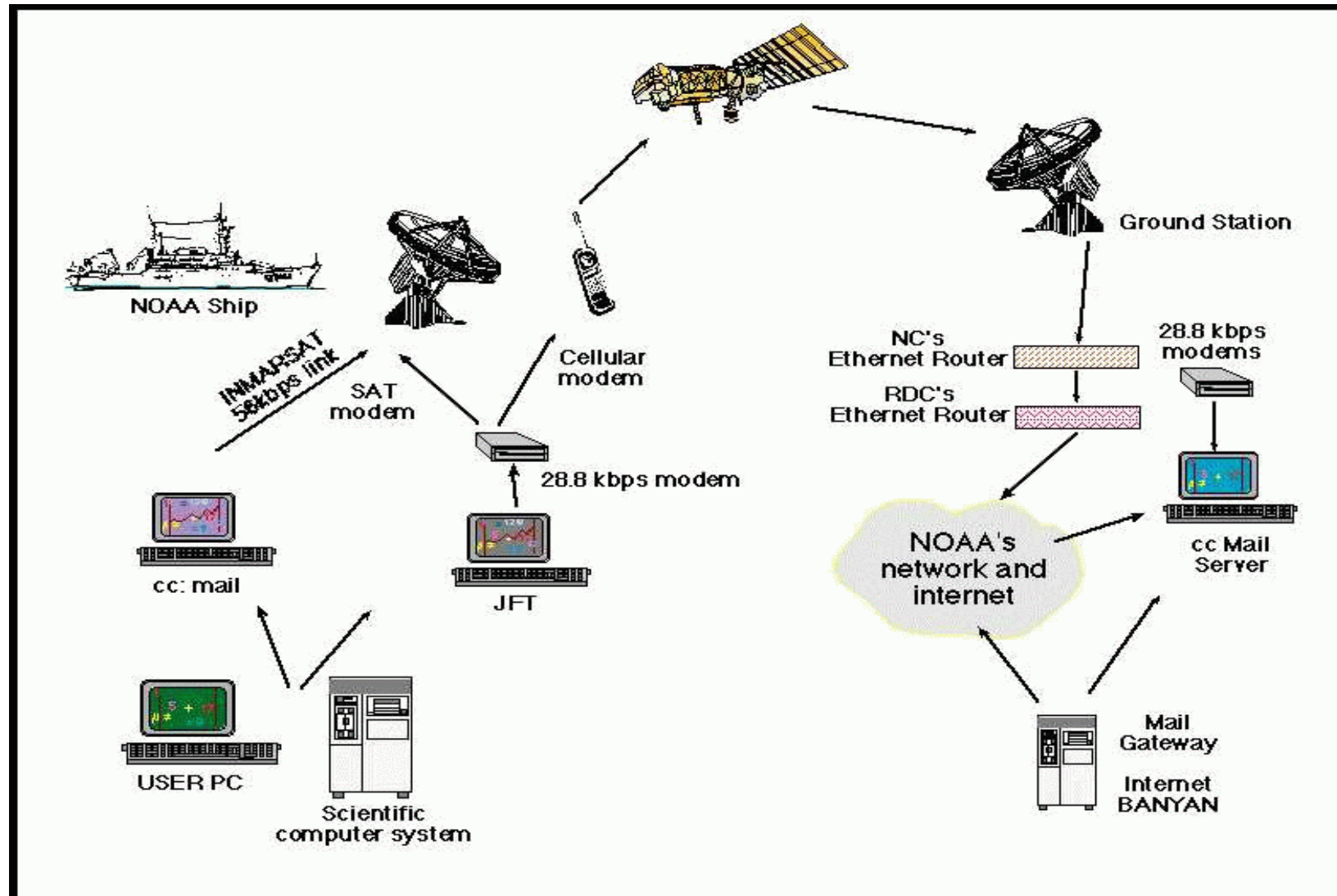
Authors are particularly encouraged to note the "Author Responsibilities" section of the

Copyright Basics

Permissions (non-exclusive licenses)

- Copyright owner can give permission or non-exclusive license very informally. Verbal permission or even implied from conduct.

Enter the Internet



-
- **The Internet disrupts the traditional connection between copyright and free speech**

Digital Publishing

- ◆ Internet distribution of research creates new potential to increase research impact
- ◆ Copyright law controls distribution rights.
- ◆ The law gives copyrights to researchers*

** It is possible that the university owns the copyrights to faculty scholarship, but this theory has not been truly tested in the courts.*

Scholarly Communication

Researchers sign away these copyrights on terms that prohibit the use of the Internet's potential

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Paraliterary Labors in Sylvia Plath's *The Bell Jar*: Typists, Teachers, and the Pink-Collar Subtext

Adam T. Jernigan

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From: MFS Modern Fiction Studies
Volume 60, Number 1, Spring 2014
pp. 1-27 | 10.1353/mfs.2014.0010

Abstract

Abstract:

Unlike some postwar authors, Sylvia Plath resisted the temptation to bolster her reputation as a writer by exploiting the image of the secretary. Instead, Plath deployed the opposition between "writing" and "typewriting" to shine a critical light on the sexual division of textual labor. Plath used *The Bell Jar* to foreground the plight of young women who possessed the talent to become writers and editors but were discouraged from doing so by discriminatory hiring practices and a restrictive social imaginary.



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Photo by: Mike Licht at <http://www.flickr.com/photos/notionscapital/>

3.

From Property to Propriety

- ◆ The Open Access movement seeks to realign the free speech values that underlie academic freedom and the pursuit of knowledge . . .
 - ◆ With the economics of Internet publication

From Property to Propriety

- ◆ The Supreme Court has said it will not interpret the First Amendment to require access or reuse rights to copyrighted works beyond fair use.
- ◆ But, Authors, their Universities, and Funders have the ability to create policies about the use of copyright to harmonize academic freedom and to Promote the Progress of Science and useful Arts.

Open Access

- ❑ Open Access responds to “Access Denied”
 - ❑ Terms of Access
 - Free on the Internet
 - ❑ Terms of Use
 - Varies from Free-to-Read to Free-to-Reuse as long as attribution is given to the source.

Scholarly Communication

- ❑ Five Audiences that Open Access serves
 - ❑ Serendipitous discoverers
 - ❑ Under-resourced readers
 - ❑ Interdisciplinary readers
 - ❑ International readers
 - ❑ Machine readers

Scholarly Communication

- ❑ Reaching these readers is good for authors
 - Open access increases citations
<http://opcit.eprints.org/oacitation-biblio.html>

Scholarly Communication

Why do funders and university faculty seek change?

- ◆ Authors need to be published.
- ◆ Authors are not willing or fully able to negotiate with journal publishers on their own over how the research will be shared with the public.

Scholarly Communication

Why the change?

- ◆ Funders have begun to assert their rights to maximize return on investment
- ◆ Terms and conditions of funding agreements increasingly require grantee to manage the terms of copyright transfer to ensure greater research impact via open and public access via the Internet.

Scholarly Communication

Why the change?

- ◆ Open Access is a modern expression of the university's longstanding mission.
- ◆ University faculty in all disciplines are collectively agreeing to grant university sufficient rights to allow for access to author's final version of an article



GOVERNANCE POLICY

Open Access Policy for University of Kansas Scholarship

PURPOSE:

Provide the broadest possible access to the journal literature authored by KU faculty.

APPLIES TO:

KU Faculty

CAMPUS:

Lawrence, Edwards

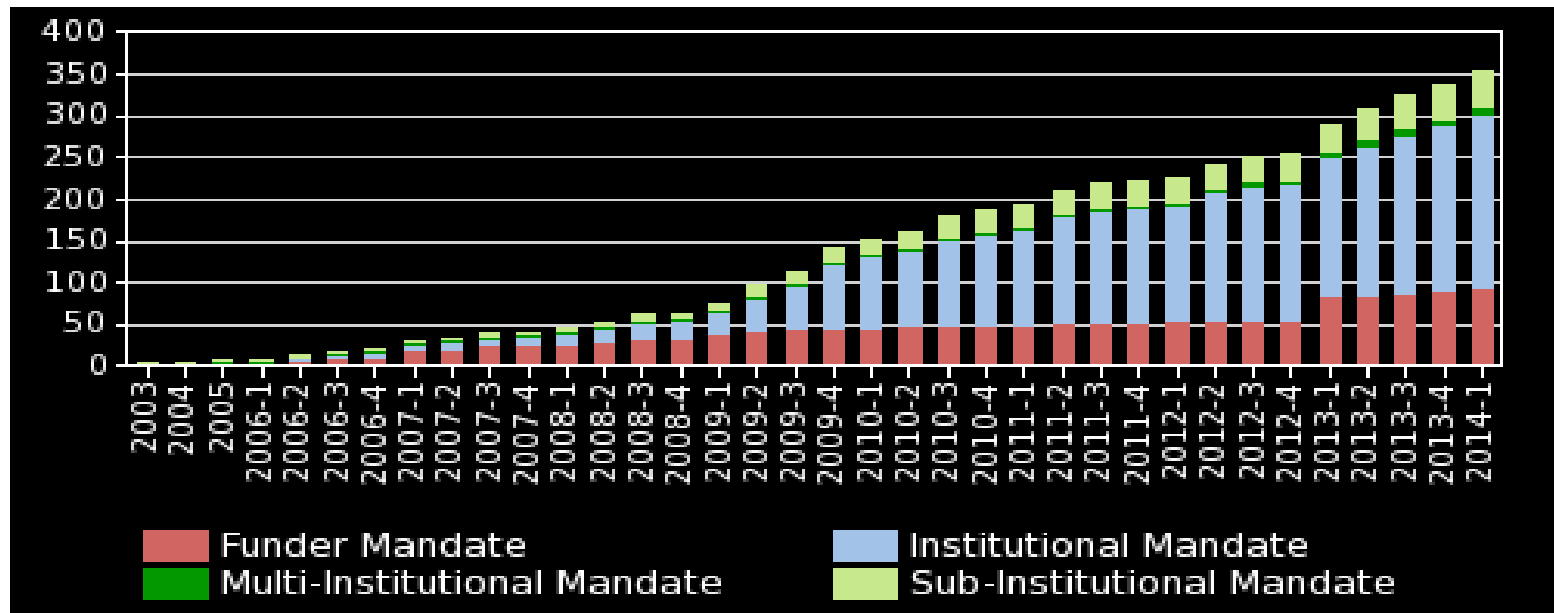
CONTENTS:

The faculty of the University of Kansas (KU) is committed to sharing the intellectual fruits of its research and scholarship as widely as possible and lowering barriers to its access. In recognition of that commitment and responsibility, the KU faculty is determined to take advantage of new technologies to increase access to its work by the citizens of Kansas and scholars, educators, and policymakers worldwide. In support of greater openness in scholarly endeavors, the KU faculty agrees to the following:

Each faculty member grants to KU permission to make scholarly peer-reviewed journal articles to which he or she made substantial intellectual contributions publicly available in the KU open access institutional repository, and to exercise the copyright in those articles. In legal terms, the permission granted by each faculty member is a nonexclusive, irrevocable, paid-up, worldwide license to exercise any and all rights under copyright relating to each of his or her scholarly articles, in any medium, and to authorize others to do the same, provided that the articles are not sold for a profit. This license in no way irrevocably interferes with the rights of the KU faculty author as the copyright holder of the work.

Scholarly Communication

- Institutional change is happening
 - Growth of funder and university policies
 - <http://roarmap.eprints.org/>



Scholarly Communication

- ❑ Policy change is only one source of dynamism in scholarly publishing
- ❑ Changes in the “marketplace” as well.

Scholarly Communication

- ❑ Two changes in scholarly publishing
 - ❑ New publishing models lead to immediate open access with broad reuse rights granted to the public
 - ❑ Relation between pre-publication peer review and time-to-publication being reconsidered.

Scholarly Communication

How to make the change?

- ◆ Publication is not free
- ◆ Data to date shows not harm to subscription financing with delayed public access
- ◆ Alternative is to switch financing away from readers to publishers.

Scholarly Communication

Open Access Publishing

- Open Access publications are free to read and reuse immediately upon publication.
- Financing comes from different models.
 - Generally, authors and reviewers do not expect payment.
 - Primary costs are coordinating peer review, and copy editing and formatting of publications.
 - A minority of these journals charge article processing charges (APCs).

Social Science and Humanities Publishing

- ◆ Total revenues from SSH publishing in all languages estimated by Simba International to be \$5.2 billion in 2012.
- ◆ No publisher has a dominant position
- ◆ Publishers almost entirely dependent on library purchases and subscriptions
- ◆ Library budgets being skewed toward STM expenditures
- ◆ SSH publishing trending away from monograph publishing toward journal publishing – in part due to increase in quantitative SSH research.

Source: <http://scholarlykitchen.sspnet.org/2014/01/28/the-market-for-social-sciences-and-humanities-publications/>

From Repository to Publisher

Open Access Publishing

- But, this is just for the sciences, right?
- We don't have any funding to publish in open access publications.

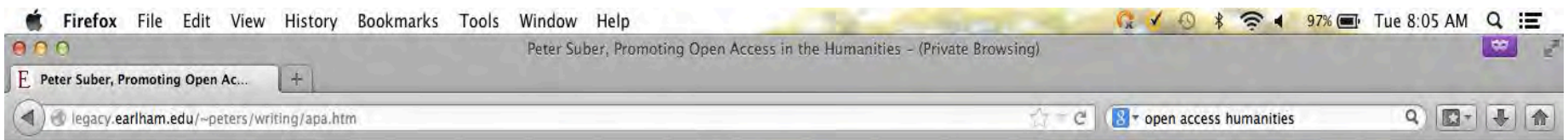


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I first wrote this for oral presentation on January 3, 2004, at the [Annual Meeting](#) of the [American Philological Association](#) in San Francisco. Thereafter I worked up the second section, on obstacles, into [Open access in the humanities](#) for the February 2, 2004, issue of my [newsletter](#). The version here builds on the original APA presentation and the revisions made for my newsletter. It has since been published in the proceedings of the APA meeting, *Syllecta Classica*, 16 (2005) 231-246. It has also been translated into Italian by Francesca Di Donato, [Promuovere l'"open access" nelle scienze umane](#), *Bollettino Telematico di Filosofia Politica*, September 15, 2005.

Promoting Open Access in the Humanities

[Peter Suber](#), [Philosophy Department](#), [Earlham College](#)

Contents

- [What is open access?](#)
- [Diagnosis: why is open access moving so slowly in the humanities?](#)
- [Recommendations: how can we advance open access in the humanities?](#)

What is open access?

The short definition of "open access" is free online access. But there are several important nuances to elucidate. First, while the access is free of charge to those who already have an internet connection, it is compatible with priced access to enhanced or print editions of the same texts. Second, making the works accessible without charge removes price barriers to access, the most important barrier for most people. But open access also requires removing the permission barriers to access and use, for example, copyright and licensing restrictions that require permission before one may copy, download, store, redistribute, crawl, or link to the texts. Third, one way to remove permission barriers is to put the work into the public domain. But another way that's just as effective, and somewhat more attractive to authors, is for the copyright holder waive some rights and retain others, consenting to open access while reserving the right to block the distribution of mangled or misattributed copies.

Compared to print, the internet lets us achieve wider distribution and lower costs at the same time. That's a very good reason to use it. [remove the price and permission barriers that restrict access today. These are removed by the will of the](#)





Open Access Scholarly Information Sourcebook

Practical steps for implementing Open Access

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Open Access Publishing in the Humanities

[Publishers](#)

Open Access in the Humanities already has a long and distinguished history. Seminal Open Access journals in critical and cultural theory such as [Surfaces](#), [Postmodern Culture](#) and [Culture Machine](#) launched in the early to mid-90s to give scholars free and open access to the work of major thinkers including Jacques Derrida, Jean-Francois Lyotard, J. Hillis Miller, Henry Giroux, Kathy Acker, and many others.

Meanwhile, recent years have seen the emergence of a wide variety of Open Access journals, repositories and scholarly websites for the sharing of

Topics

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by Nigel J.T. Thomas

Humanities **2014**, *3*(2), 132-184; doi:10.3390/h3020132 - published online 15 April 2014

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by Katherine E. Southwood

Humanities **2014**, *3*(2), 102-131; doi:10.3390/h3020102 - published online 9 April 2014

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Open Access

Article: [University Community Partnerships](#)

by Jonathan G. Cooper, Zeenat Kotval-K, Zenia Kotval and John Mullin

Scholarly Communication

- ❑ Institutional change is happening
 - ❑ Growth of “Gold” Open Access Publishing
 - More commercial journals switching
 - New journals launching

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Library Partnership Subsidies (LPS)

Libraries as Stakeholders, Decision Makers and Supporters: Join Us In his book, *The Access Principle*, John Willinsky notes that "JSTOR has already demonstrated the level of cooperation that can be ...

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November 19, 2013 | 0 Comments

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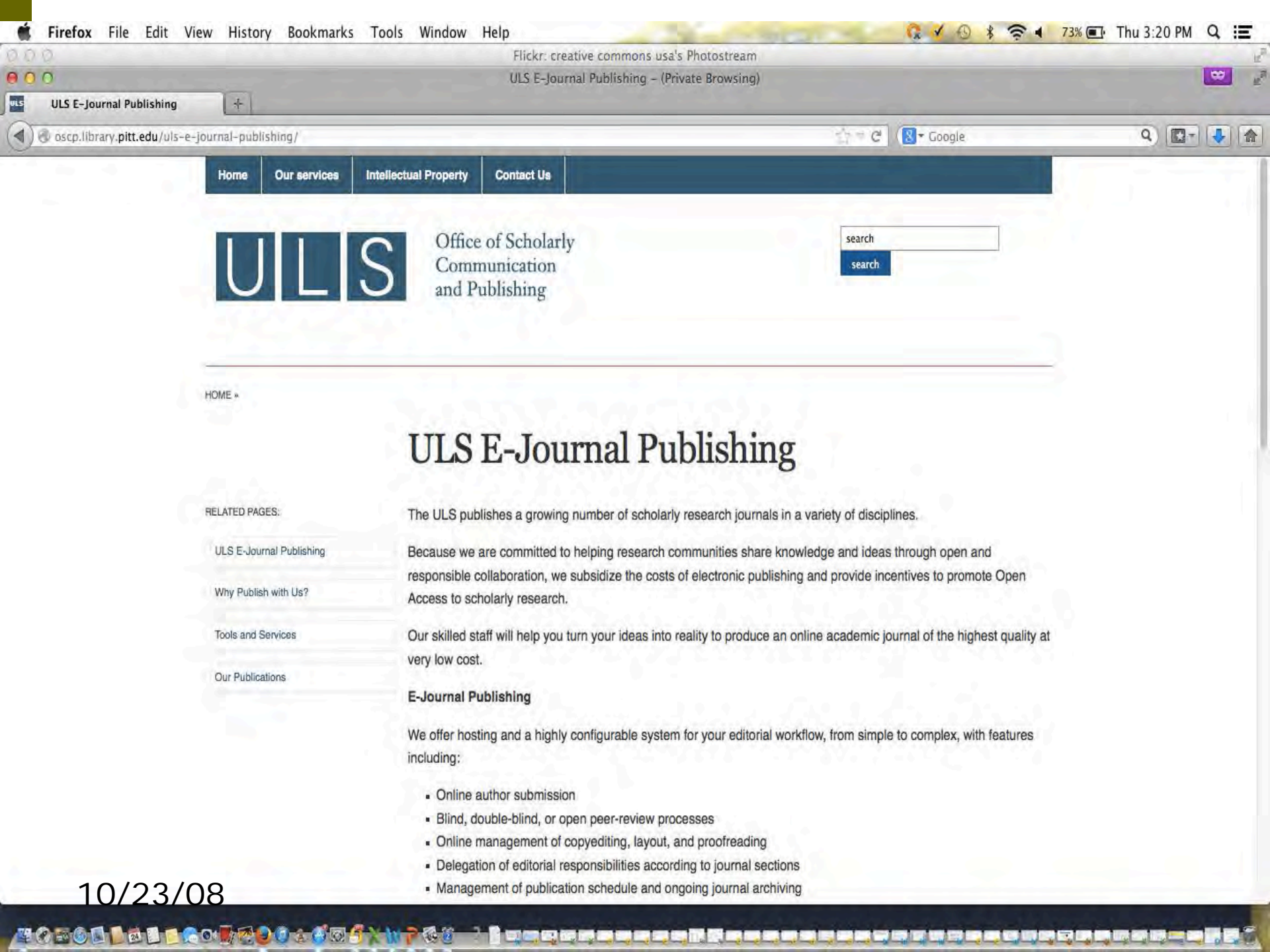
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Welcome to the Open Library of Humanities (OLH). This site aims to give the background to, and rationale for, our vision of building a low cost, sustainable, Open Access future for the humanities. Please feel free to look around the site and get in touch if you'd like to be involved.

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From Repository to Publisher

- ❑ Increasingly, libraries are providing publishing services to their faculty.
- ❑ Librarians have, or are developing, the skills to transform institutional repositories into publishing platforms.



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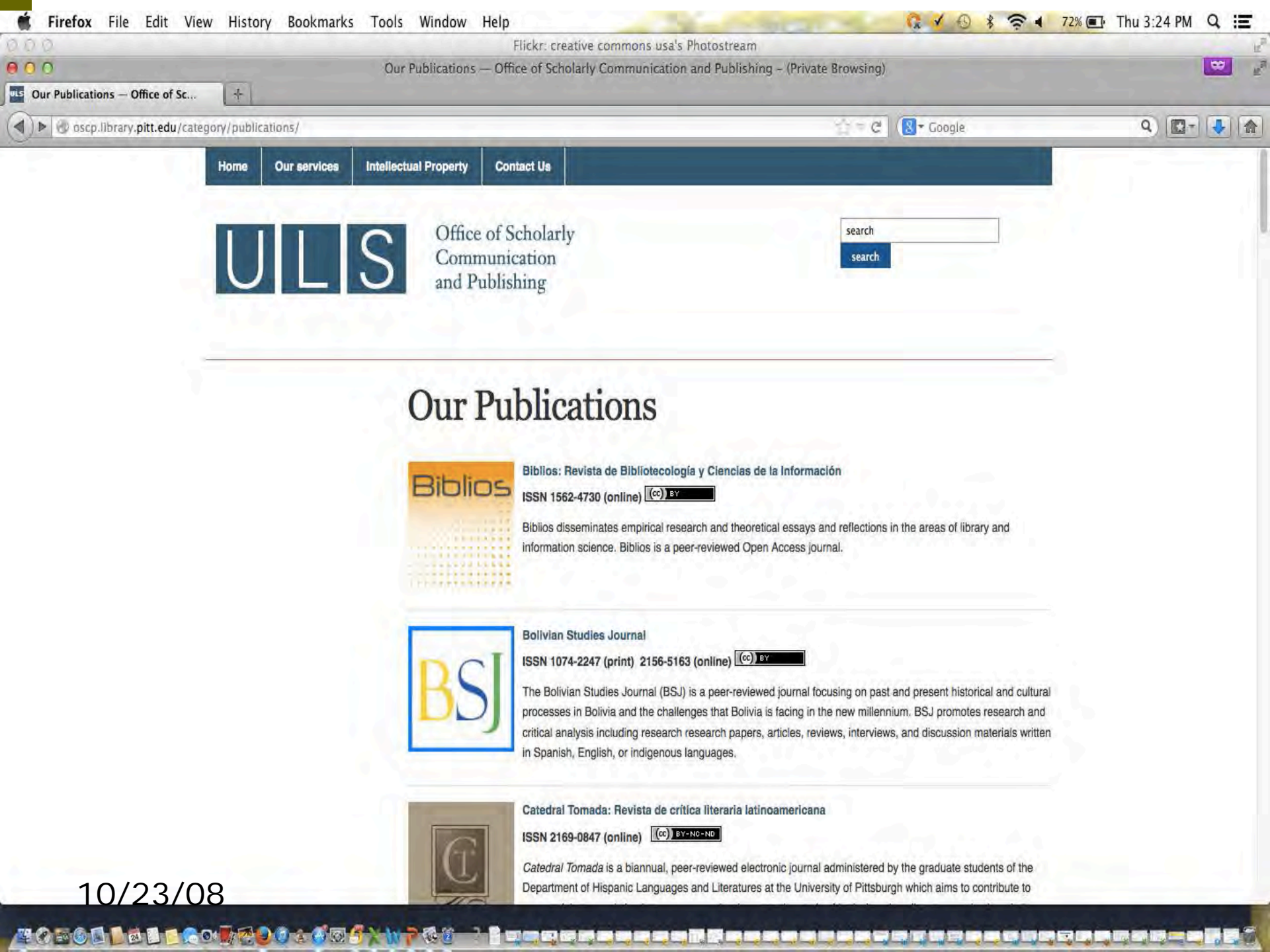
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Bolivian Studies Journal

ISSN 1074-2247 (print) 2156-5163 (online)

The Bolivian Studies Journal (BSJ) is a peer-reviewed journal focusing on past and present historical and cultural processes in Bolivia and the challenges that Bolivia is facing in the new millennium. BSJ promotes research and critical analysis including research research papers, articles, reviews, interviews, and discussion materials written in Spanish, English, or indigenous languages.



Catedral Tomada: Revista de crítica literaria latinoamericana

ISSN 2169-0847 (online)

Catedral Tomada is a biannual, peer-reviewed electronic journal administered by the graduate students of the Department of Hispanic Languages and Literatures at the University of Pittsburgh which aims to contribute to

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Contemporaneity: Historical Presence in Visual Culture



ISSN 2153-5914 (online)

Through scholarly writings from a number of academic disciplines in the humanities, together with contributions from artists and filmmakers, Contemporaneity maps the diverse ways in which cultures use visual means to record, define, and interrogate their historical context and presence in time.

BY LAUREN COLLISTER IN OUR PUBLICATIONS ON FEBRUARY 14, 2013

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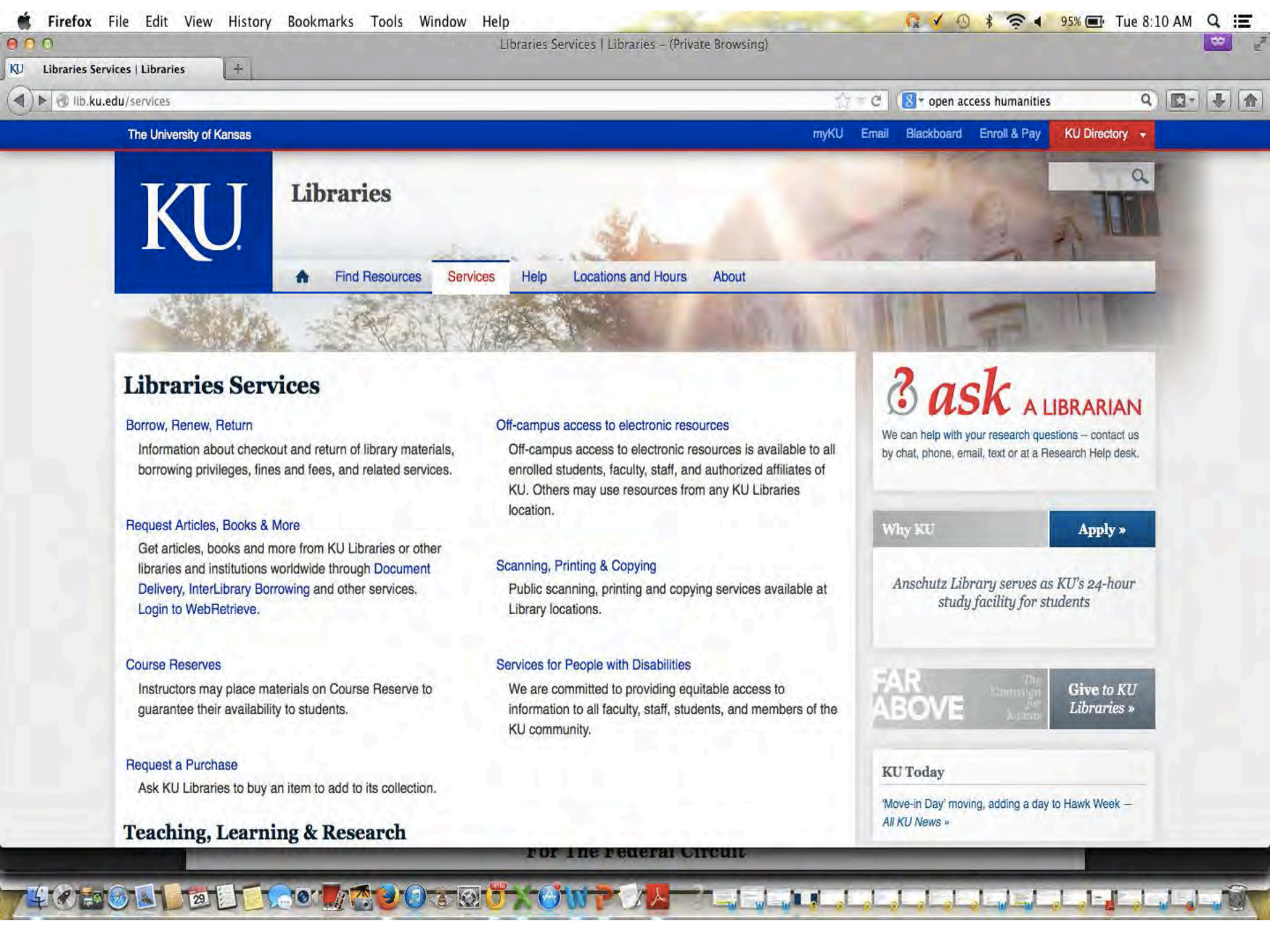
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Libraries

[Find Resources](#) [Services](#) [Help](#) [Locations and Hours](#) [About](#)

Libraries Services

Borrow, Renew, Return

Information about checkout and return of library materials, borrowing privileges, fines and fees, and related services.

Request Articles, Books & More

Get articles, books and more from KU Libraries or other libraries and institutions worldwide through [Document Delivery](#), [InterLibrary Borrowing](#) and other services. [Login to WebRetrieve](#).

Course Reserves

Instructors may place materials on Course Reserve to guarantee their availability to students.

Request a Purchase

Ask KU Libraries to buy an item to add to its collection.

Off-campus access to electronic resources

Off-campus access to electronic resources is available to all enrolled students, faculty, staff, and authorized affiliates of KU. Others may use resources from any KU Libraries location.

Scanning, Printing & Copying

Public scanning, printing and copying services available at Library locations.

Services for People with Disabilities

We are committed to providing equitable access to information to all faculty, staff, students, and members of the KU community.



We can help with your research questions -- contact us by chat, phone, email, text or at a Research Help desk.

Why KU

Apply »

Anschutz Library serves as KU's 24-hour study facility for students

FAR ABOVE

The Campaign for KU Libraries

Give to KU Libraries »

KU Today

'Move-in Day' moving, adding a day to Hawk Week -- [All KU News »](#)

Teaching, Learning & Research

Copyright & Scholarly Communication Services

Scholarly Communication refers to the complex system of creation, dissemination and use of the products of scholarship, both formal and informal, and the social, legal and economic issues and pressures at play on the system. KU Libraries' Office of Scholarly Communication & Copyright (OSC&C) assists faculty and students to share their scholarly work using complementary online tools like KU ScholarWorks, to manage the complex copyrights associated with those works and the works of other scholars and to learn more about the shifting system of scholarly communication in which they are major stakeholders.

We would be happy to assist you with these issues.

Copyright Information for Authors

If you are planning on publishing an article, the OSC&C has tools that you can use to retain your copyrights when working with a publisher.

Depending on the help you need the information or links below will help. When in doubt, please do not hesitate to email Ada Emmett, aemmett@ku.edu or Marianne Reed, mreed@ku.edu for further assistance. [More...](#)

Copyright Information for Instructors and Students

How and when it is possible to share copyrighted works with your students in the classroom or use copyrighted materials in your teaching materials is a common question and source of confusion. Students need also to learn how and when they may use copyrighted materials in their papers and projects for classes and certainly for theses and dissertations. We provide some helpful links and information below. [More...](#)

Open Access Policy

The OSC&C staff can help faculty participate in the KU Open Access Policy passed by the Faculty Senate. Our excellent [Open Access website](#) described "full-service" and "self-service" options to make your work available in [KU ScholarWorks](#) (KU's open archive of scholarly work created by its faculty) and thereby participate in the policy. [More...](#)

KU Open Access Week

Open Access Week theme for 2013: Redefining Impact

Every year in October, KU Libraries hosts a week of events for KU faculty, graduate students, and others who want to learn how

Contact

Ada Emmett

Head, Office of Scholarly Communication & Copyright

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785-864-8913

Office of Scholarly Communications & Copyright

Watson Library, Room 450

Marianne Reed

Digital Information Specialist

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Office of Scholarly Communications & Copyright

Watson Library, Room 450

Copyright & Scholarly Communication Resources

- [Guide to Copyright Resources](#)
- [Open Access @ KU](#)
- [KU ScholarWorks](#)

Why KU

Apply »

An international leader in the open access movement

Digital Publishing Services

Digital Publishing Services provides support to the KU community for the design, management and distribution of online publications, including [journals](#), conference proceedings, monographs, and other scholarly content. We help scholars explore new and emerging publishing models in our changing scholarly communication environment, and help monitor and address campus concerns and questions about electronic publishing.

These services are intended to enable online publishing for campus publications, and help make their content available in a manner that promotes increased visibility and access, and ensures long-term stewardship of the materials.

Digital Publishing Systems & Services

We support a variety of software platforms to publish content in different formats, and can assist with moving traditional journal and monograph content to an online environment, as well as with publishing "born-digital" scholarship designed specifically for online publication. We also offer tools to help manage and streamline the production and editorial work involved in producing scholarly journals.

- [KU ScholarWorks](#) is a digital repository for scholarly work created by the faculty and staff of the University of Kansas. KU ScholarWorks makes important research available to a wider audience and helps assure its long-term preservation.
- [Journals@KU](#) supports the publication of scholarly journals online, and assists journal editors with the management, editorial work, and production work involved in producing scholarly journals. Our journal services are built on the [Open Journal Systems \(OJS\)](#) journal management software designed to facilitate online peer-reviewed publishing.
- [XTF](#) is a system for building and providing access to full-text, XML-encoded resources, such as [TEI-encoded monographs](#) and [EAD finding aids](#).

Publications

Journals and Serials

- [American Studies](#)
- [Auslegung: A journal of philosophy](#)

Digital Publishing Contact

Marianne Reed
 Faculty Services Specialist
mreed@ku.edu
 785-864-8913
 Center for Faculty Initiatives & Engagement
 Watson Library, Room 450

Related Resources

- [Journals@KU](#)
- [KU ScholarWorks](#)

Why KU

Apply »

KU ScholarWorks offers access to more than 7,000 items created by KU faculty and students

**FAR
ABOVE**

**Give to KU
Libraries »**

KU Today

Aerospace team logs honor in International Engine Design Competition — [All KU News »](#)

4.

Understanding “Open” Publications

- ❑ Growth of “Gold” Open Access Publishing
 - Most move from Free-to-Read to CC BY

□ Huh?

Scholarly Communication

- ❑ Creative Commons licenses are permissions granted to the public with some conditions
- ❑ Six CC licenses combine different sets of conditions
- ❑ “CC BY” is shorthand for the Creative Commons Attribution license.
 - ❑ The only condition on reuse is that the source is properly credited.

Step 1: Choose Conditions



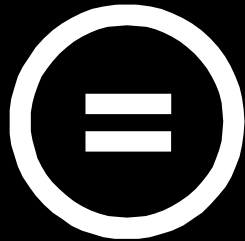
Attribution



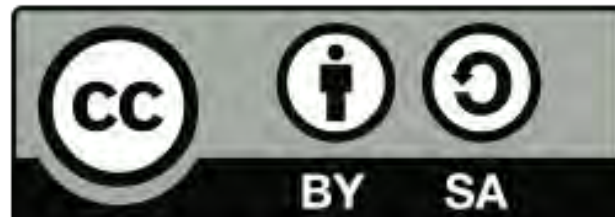
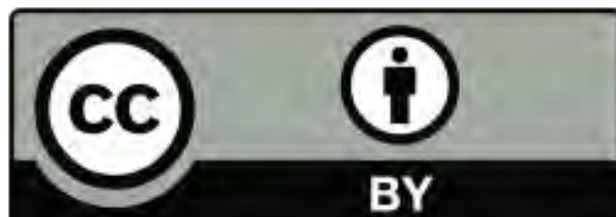
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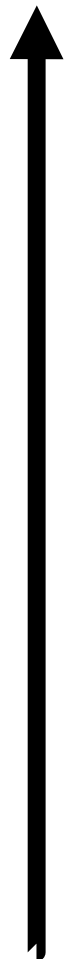


NoDerivatives



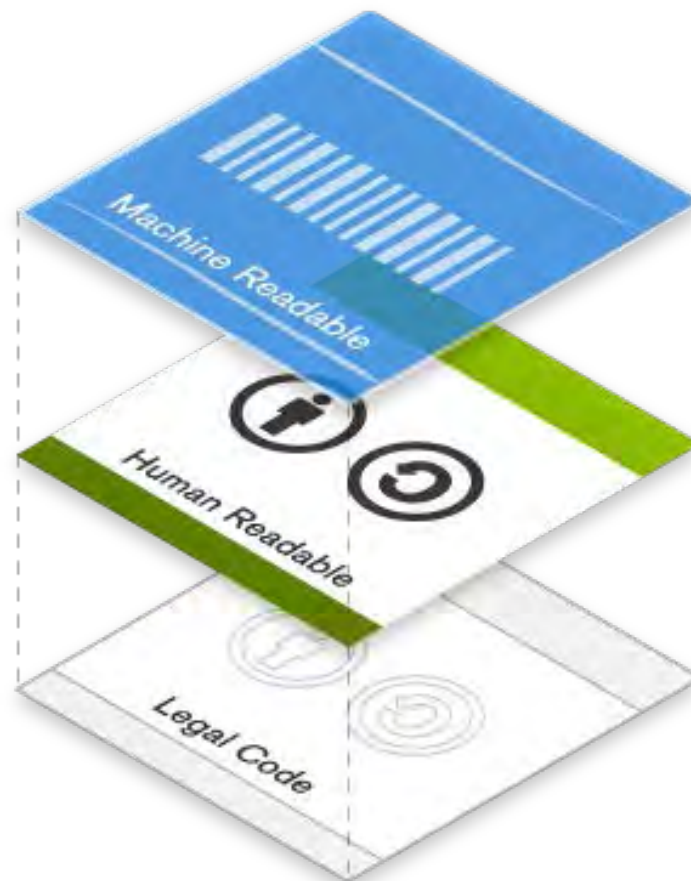


most free



least free





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to Remix — to adapt the work.

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- b. **"Collection"** means a collection of literary or artistic works, such as encyclopedias and anthologies, or performances, phonograms or broadcasts, or other works or subject matter other than works listed in Section 1(f) below, which, by reason of the selection and arrangement of their contents, constitute intellectual creations, in which the Work is included in its entirety in unmodified form along with one or more other contributions, each constituting separate and independent works in themselves, which together are assembled into a collective whole. A work that constitutes a Collection will not be considered an Adaptation (as defined above) for the purposes of this License.
- c. **"Distribute"** means to make available to the public the original and copies of the Work or Adaptation, as appropriate, through sale or other transfer of ownership.
- d. **"Licensor"** means the individual, individuals, entity or entities that offer(s) the Work under the terms of this License.
- e. **"Original Author"** means, in the case of a literary or artistic work, the individual, individuals, entity or entities who created the Work or if no individual or entity can be identified, the publisher and (i) in the case of a performance the actors, singers, musicians, dancers, and other persons who act, sing, perform, depict, play in, interpret or otherwise perform literary or artistic works or expressions of folklore; (ii) in the case of a phonogram the producer being the person or legal entity who first fixes the sounds of a performance or other sounds; and, (iii) in the case of broadcasts, the organization that transmits the broadcast.

400MM+
TOTAL CC LICENSED WORKS
AS OF 2010

40%
USING A FULLY OPEN
CC LICENSE
AS OF 2010

500 Million

400 Million

300 Million

200 Million

100 Million



Total CC Licensed Works

2003 - 2010



CC BY, BY-SA, Public Domain

20% first year, nearly 40% by 2010

2003

2004

2005

2006

2007

2008

2009

2010



5.

Monographs

- ❑ Is open access publishing feasible for monographs?
- ❑ Costs are somewhat different – requires more editorial staff
- ❑ Authors sometimes motivated by desire for royalties
- ❑ Also desire to be widely read
- ❑ Not necessarily incompatible, some experience that open publication increases sales.

About

[Community](#)

[OAPublishing](#)

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[Principles and Goals](#)

[Editorial Board](#)

[Open Access Board](#)

[Partners](#)

Organization

Open Humanities Press is an international, scholar-led open access publishing collective whose mission is to make leading works of contemporary critical thought available worldwide. OHP is a network of interlacing thematic scholarly communities whose various, predominantly autonomous, editorial activities make up the OHP collective.

OHP's [Editorial Board](#) is at the heart of all OHP activities. Members of this board participate in journal assessments, review and approve book series proposals, perform and manage peer review, and edit the OHP book series. Drawn from the wider Editorial Board on a rotating basis, the [Editorial Oversight Group](#) is responsible for OHP's journal assessments, meeting virtually every two years to consider journals that have approached OHP for

Digital Humanities

- ❑ A range of humanities scholars are leaving traditional monographs far behind
- ❑ Publishing digital multimedia works raises a range of copyright issues about third party works and the terms of reuse

6.

Electronic Theses and Dissertations

- ❑ Requiring that ETDs be made openly accessible increases the audience and impact of student research
- ❑ Open ETDs also provide a measure of accountability for the university

Electronic Theses and Dissertations

- ❑ Concerns expressed by some graduate students and faculty in the humanities that open ETDs can be career inhibiting
- ❑ Claim that monograph publishers will treat an open ETD as a prior publication of the work
- ❑ Evidence for this claim is weak
- ❑ To the extent that university presses and others held this view, it is changing based on evidence that readers prefer published version.

7.

Open Educational Resources

- ❑ Open courses receive most of the attention
 - ❑ Note that most MOOCs are not really “open” because materials are subject to standard copyright restrictions

Open Educational Resources

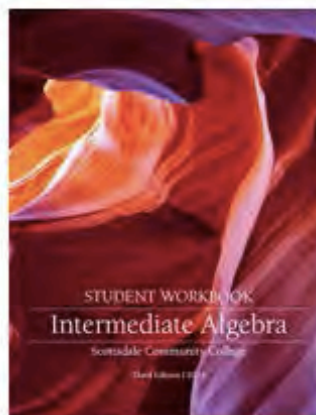
❑ But, open textbooks are making gains.

Driving Awareness and Adoption of Open Textbooks

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Welcome to College Open Textbooks!

Our Featured Book:



Intermediate Algebra

This is the third edition of a core textbook at Scottsdale Community College (SCC). Authored by members of the SCC Math Department faculty, it has been used by thousands of students. Continually improved, it is now part of a comprehensive resource package that includes online help and assessment tools as well as an instructor's guide. This text represents the very best of professional-grade Open Educational Resources.

For more info about *Intermediate Algebra*, [click here](#).

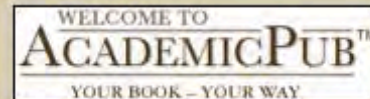


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American Government and Politics in the Information Age

David L Paletz, Duke University
Diana Owen, Georgetown University
Timothy E Cook, Louisiana State University

American Government and Politics in the Information Age by Paletz, Owen, and Cook, is a comprehensive introduction to the vital subject of American government and politics.

(0 reviews)



An Introduction to Formal Logic

P.D. Magnus, University of Albany, State University of New York

forall x is an introduction to sentential logic and first-order predicate logic with identity, logical systems that significantly influenced twentieth-century analytic philosophy. After working through the material in this book, a student should be able to understand most quantified expressions that arise in their philosophical reading.

(0 reviews)


8

Bb
Email
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News @ TCC


8

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NEWS RELEASES @ TCC

TIDEWATER COMMUNITY COLLEGE PARTNERS WITH LUMEN LEARNING TO OFFER TEXTBOOK-FREE DEGREE

HAMPTON ROADS, Va. (March 14, 2013) — Tidewater Community College will launch a pilot project this fall aimed at easing the pain of soaring textbook costs for college students.

Partnering with Lumen Learning, a Portland, Ore.-based company that helps educational institutions integrate open educational resources into their curricula, TCC plans to offer a textbook-free associate of science degree in business administration based on Lumen's Textbook Zero model.

For students who pursue the new "textbook-free" degree, the total cost for required textbooks will be zero. Instead, the program will use high quality open textbooks and other open educational resources, known as OER, which are freely accessible, openly licensed materials useful for teaching, learning, assessment and research. It is estimated that a TCC student who completes the degree through the textbook-free initiative might save one-third on the cost of college.

Scholarly Communication

- ❑ How to change the environment now?
 - ❑ Publish in an open access journal
 - ❑ Support and comply with Public Access policies
 - ❑ Demand rights to post articles from publishers

Scholarly Communication

❑ Changing

- ❑ How much peer review is required pre-publication?
- ❑ How can post-publication peer review be organized?
- ❑ How should scholarly impact be measured?

Scholarly Communication

- ❑ Institutional change is happening
 - ❑ Is the future of pre-publication peer review changing?
 - Why not just validate the research as original and methodologically sound and let readers decide how important the work is?

Scholarly Communication

➤ Copyright Mechanics

- How do the Funder or University public access policies work?

Scholarly Communication

➤ Copyright Mechanics

- As a term and condition of a funding agreement or a university policy, authors agree that they are granting a non-exclusive license to the funding agency or the university to make and distribute copies to the public.

Scholarly Communication

➤ Copyright Mechanics

- This is a forward-looking agreement by the author that applies to any article that will be written and that is subject to the policy.

Scholarly Communication

➤ Copyright Mechanics

- This license then automatically comes into effect at the time the article is written -- before the author signs the journal's publication agreement

Scholarly Communication

➤ Copyright Mechanics

- Author should check journal's publication agreement to make sure it is consistent with the license given to the funder or university.

Scholarly Communication

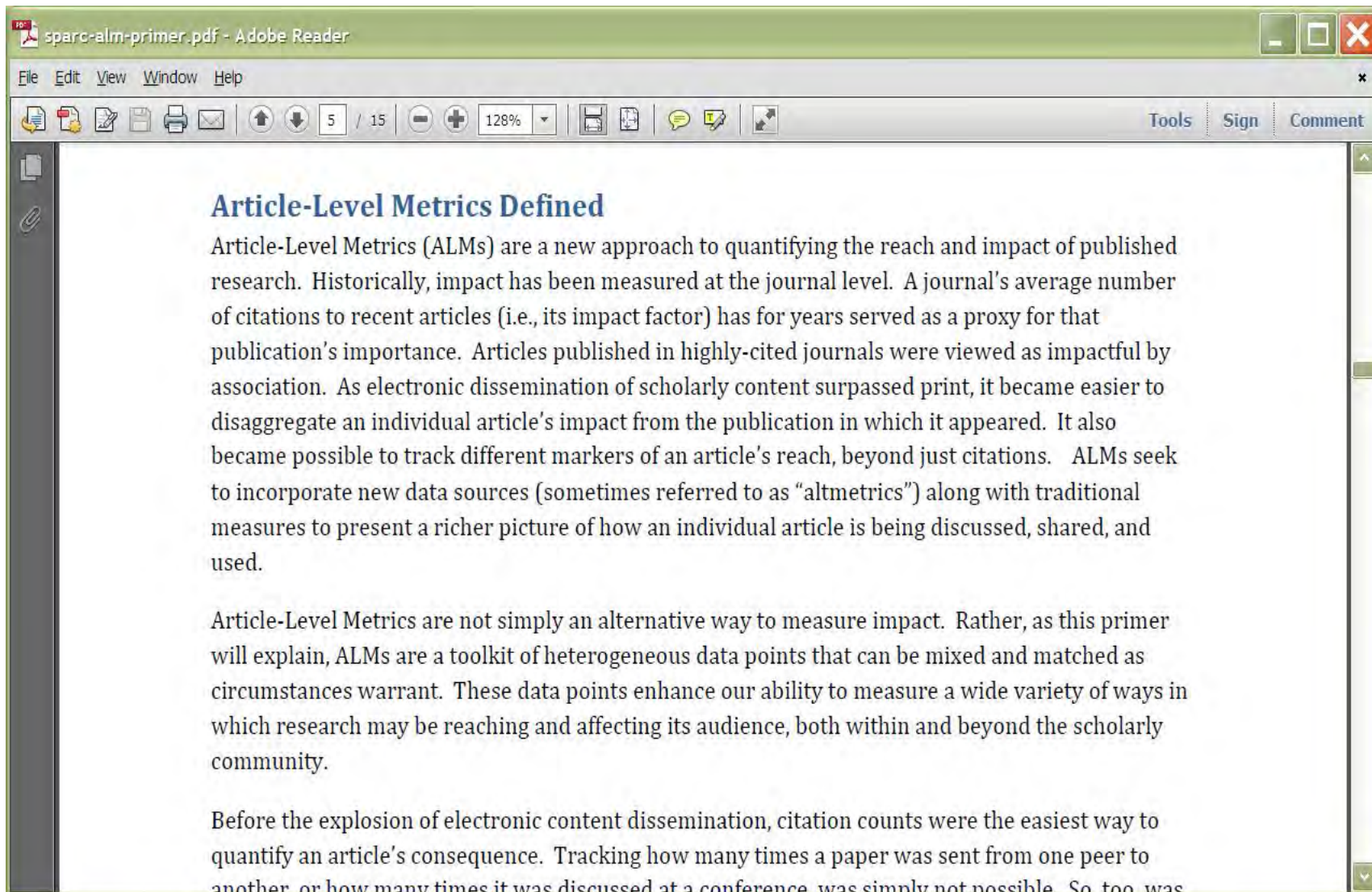
➤ Copyright Mechanics

- The author cannot grant a fully exclusive license to the publisher if the funding agency or the university already has permission to make the author's version of an article available on the Internet.

Scholarly Communication

➤ Copyright Mechanics

- Authors can readily change the terms of the publication agreement through a standardized “Author Addendum” attached to the publisher’s form.



Source: <http://www.sparc.arl.org/bm~doc/sparc-alm-primer.pdf>

➤ Questions?

